MST

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.20 OF 2007

Naushad Fardin Shaikh Applicant
versus
The State of Maharashtra Respondent

Mr.Arfan Sait for applicant.
Ms.M.H.Mhatre, APP for respondent State.

CORAM : V.C.DAGA, J.

DATE : 18th July 2007

PC :

1. Heard learned counsel for the applicant. Perused Revision Application.

2. During the course of hearing, I was taken through the evidence of Doctor and the findings recorded by the Courts below. Both the Courts below have recorded concurrent findings of facts holding that the offence charged against the accused under section 376 read with Section 506 of Indian Penal Code has been proved.

3. The learned counsel appearing for the applicant tried to show discrepancies in the

medical evidence and contended that the accused has been falsely implicated. He has also contended that there was a delay in filing the FIR, as such prima facie case is made out for admission of this revision application.

4. All the above aspects are considered by the learned Trial Judge as well as the Lower Appellate Court. Both the Courts have held that the offence charged stand proved.

5. Having heard rival parties and seen the evidence on record, no fault can be found with the view taken and the findings recorded by the Courts below. On the basis of the evidence on record each and every finding can be supported. In revision no reappreciation of evidence can be done. The revision is, therefore, dismissed in limine.

6. The Registry is directed to sent a copy of this order to the applicant, who is in jail, for his information.

(V.C.DAGA, J.)